

MR1957-868  
Serial Number: 10/813,089  
Reply to Office Action dated 30 June 2005

### REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the final Office Action dated 30 June 2005. Responsive to the rejections made in the Official Action, Claim 1 has been amended to clarify the combination of elements which form the invention of the subject Patent Application and Claims 2 and 8 have been canceled by this Amendment.

In the Official Action, the Examiner rejected Claims 1-10, 13 and 15-17 under 35 U.S.C. § 103(a), as being unpatentable over Zavracky, et al., U.S. Patent 6,476,784, in view of Svardal, et al., U.S. Patent 6,547,396. Further, the Examiner rejected Claims 11, 12 and 14 under 35 U.S.C. § 103(a), as being unpatentable over Zavracky, et al. Svardal, et al. and further in view of Saito, U.S. Patent Application Publication 2002/0025042.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to a portable image viewing apparatus supportable by a user's hand to view at least one digitized medical image. The portable image viewing apparatus includes a casing defining a receiving space therein. The casing has an upper portion with an undulating contour to define finger receiving portions and a plurality of buttons provided at the finger receiving portions for operation and support of the apparatus by one hand of a user. The casing further has at least one

MR1957-868

Serial Number: 10/813,089

Reply to Office Action dated 30 June 2005

viewing window being provided thereon. The apparatus includes at least one micro display arranged in the receiving space and aligned with the viewing window. The micro display includes a light source, a lens through which light emitted from the light source passes, a reflecting mirror for reflecting the emitted light passing through the lens, a LCOS chip for producing the at least digitized medical image using the light from the reflecting mirror and a convex lens through which the at least one digitized medical image from the LCOS chip passes to be viewed by a user. The apparatus includes at least one circuit board arranged in the receiving space and electrically connected to the plurality of buttons and the micro display for driving the micro display to display the at least one digitized medical image. The apparatus further includes a memory unit coupled to the at least one circuit board for storing digitized medical image data.

The Zavracky, et al. reference is directed to a portable display system with a memory card reader. In Figs. 21e-i, there is shown a handheld embodiment of the referenced system. The casing of the viewing device 170 includes a plurality of ridges 184 formed in an upper portion thereof to accommodate the fingers of a user. However, the operational switches 176, 178 and 182 are not disposed in the ridged area, so that the user supports the device 170 with one hand, engaged in the ridges 184 and operates the apparatus with another hand.

Whereas in the invention of the subject Patent Application, the operating buttons of the apparatus are located at the finger receiving positions for operation

MR1957-868

Serial Number: 10/813,089

Reply to Office Action dated 30 June 2005

and support of the apparatus by one hand of a user, as now claimed. The apparatus of the invention of the subject Patent Application is utilized for viewing digitized medical images, and therefore it is important that the medical personnel using the apparatus are able to operate the device with one hand, leaving another hand free to attend to a patient or other matters.

The Svardal, et al. reference does not overcome the deficiencies of Zavracky, et al. The Svardal, et al. reference is directed to a projection system having an image engine for producing a stereographic image and the projection lens, the system including a light source for producing a beam, a beam splitter for splitting the beam into a right image beam and a left image beam from which the image engine produces the stereographic images.

However, nowhere does the reference disclose or suggest a casing having an upper portion with an undulating contour to define finger receiving positions and a plurality of buttons provided at the finger receiving positions for operation and support of the apparatus by one hand of a user, as now claimed. Therefore, the combination of Zavracky, et al. and Svardal, et al. cannot make obvious the invention of the subject Patent Application, as now claimed. It is now believed that Claim 1 is patentably distinguishable, as are the Claims dependent thereon.

MR1957-868  
Serial Number: 10/813,089  
Reply to Office Action dated 30 June 2005

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,  
For: ROSENBERG, KLEIN & LEE



David I. Klein  
Registration No. 3,253

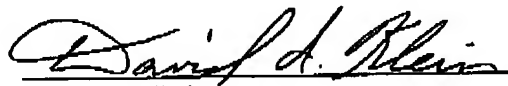
Dated: 28 Sept. 2005

Suite 101  
3458 Ellicott Center Drive  
Ellicott City, MD 21043  
(410) 465-6678  
Customer No. 04586

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Art Unit #2851, facsimile number 571-273-8300 on the date shown below.

9/28/2005  
Date

  
David I. Klein